

CIRCUMSTANTIAL EVIDENCE ONLY

THE GROUNDS ON WHICH GOVERNOR ISSUES REPRIEVE

MORE EVIDENCE IS PRODUCED

Cooper Wrote Letter To Governor And Repeats He Is Innocent of the Charge Of Murder of Bowman

The following appeared in Tuesday's Times-Union, coming from Tallahassee:

Colonel J. W. Brady in again obtaining a revocation of the death warrant for his client, I. E. Cooper, has accomplished what appeared to be almost the impossible. Colonel Brady is a tireless and able worker, and has devoted himself to the task of saving the life of the condemned man, shows he firmly believes, innocent of the crime of which he has twice stood in the shadow of the gallows, and has twice been respited.

For more than a year he has been working on the case, and has placed before the Board of Pardons a voluminous mass of evidence that he feels justifies him in asking a commutation of the death sentence.

The evidence upon which Cooper was convicted was entirely circumstantial, and circumstances have developed which may prove that there are strong grounds for doubt of the infallibility of the evidence upon which he was convicted.

A year ago when Cooper sat waiting to be led out to be executed, he stoutly asserted his innocence—asserted it when he had abandoned all hope of a reprieve.

In a letter to the Governor written last week, again in expectation of death upon the gallows, he maintains his innocence. Accompanying his letter is a photograph of himself, his wife and children, taken in the De Soto County jail at Arcadia. "Do you think," he said, "that a man with this responsibility would deliberately seek such trouble as has come upon me?"

The Results.

Many papers are summing up the losses and gains during the war in the Far East, and the following results will be of interest:

What Russia has lost by the war: Millions in warships. Immense quantities of war material. Millions in Dalny and Port Arthur. Millions in Manchurian railway adventure.

Part of Sakhalin. Asiatic commercial prestige. Asiatic political prestige. What Japan has gained. A great increase in her navy. Much war plunder. Part of Sakhalin. Asiatic commercial prestige. Asiatic political prestige. The admiration of the world. The fear of patronizing and insolent powers.

Great honor for the broad-minded deference to the world wide judgment that peace was in order.—Gainesville Sun.

Buying Florida Timber Land.

Georgia sawmill men and turpentine operators continue to become heavy investors in Florida timber lands. The latest deal is reported from Moultrie, Ga., and is as follows: "A land and timber trade has been closed here of which the consideration was in round numbers \$175,000. Two Moultrie parties, W. C. Vereen and H. H. Smith bought of Iowa parties about 25,000 acres of land in Jefferson and Leon counties, Florida, that is rich in yellow pine timber. The body of timber has been owned for some years by a milling company at St. Marks, and recently the company failed, the mill was closed down and the timber fell into the hands of parties in Iowa. The deeds were made by Arthur Hoffman of Muscatine, Iowa, and the money was paid over here by the Moultrie purchasers.

With the deal W. C. Vereen's investments in Florida timber for the past sixty days reaches a half million dollars. He believes this last investment is one of the best he has, the quality of the timber being very fine, and the prospects practically assuring the construction of a railroad through this timber at an early date. W. H. Smith will proceed at once to put up the necessary stiffs for working the turpentine.

Capt. M. Johnson has some funny experiences to relate in his work of taking the census of Lee county. "Where were you born?" he inquired of one old lady. "In Florida," was the reply. "Where were your parents born?" "Don't know." "Were they born in Florida?" "No," replied the old lady. "I think one was born in Nocatee and the other in Orlando."—St. Myers Press.

CONDEMNED TO DIE ON GIBBET.

Reprieve Came After Rope Had Been Adjusted—Served 20 Years.

Mrs. W. H. Felton tells the following pathetic story in a recent issue of the Atlanta Journal:

The story of Charles Henry Franklin, who was condemned to be hung in Bibb superior court over twenty years ago, and who was respited on the gallows, after the rope had been tied on his neck and his feet were standing on the death trap under the gallows tree, beggars romance and proves the truth of the old saying that fact is stranger than fiction.

His respite procured a change in the sentence and he was sent up as a life convict and served twenty-one years of this hard sentence, although he was an innocent man all the time, and his life had been sworn away by the real murderer.

And this happened in Georgia! The real murderer confessed the crime on his death-bed and told bystanders that Franklin was an innocent sufferer. This poor victim of another's wrongdoing had not only been so nearly hung, but he served at the hardest hardest work as a life term convict in Coal City coal mines and on railroad grades in summer's heat and winter's frost, and at rock quarries, where toil was the hardest and punishment severest. His wife died on the day when the hangman's rope was fastened on his poor neck—died from grief, shame, humiliation and despair, leaving a little baby girl three days old. Her suffering was greater than she could bear and her life left its grief-stricken tenement to find perhaps rest that she was desired here on earth.

This poor, wretched man had also a mother, whose agony was immeasurable and who died as a pauper, consumed by the agony of her grief and the condition of her hopeless son, a life convict in Georgia's chain-gang. This poor Mr. Franklin was 65 years old when the prison doors were opened and he was told to go, as he had been cleared by the confession of the real murderer.

But what was there for him on the outside, after such bitter servitude and degradation, except the liberty to go where he pleased, the liberty to subsist and make a living the best he could; for one of his arms had been mashed off in a lumber mill and he was not only crippled in mind, but maimed in body, a penniless pauper, a homeless wail, having been dead to the world for twenty-one years and thereby robbed of the best of his life? Is it not dreadful to know how he was wronged?

True it is, he had the consciousness of being innocent, and his self-respect doubtless sustained him in the hope that God would be merciful and let the truth prevail; but who can measure the depths of suffering, as the years rolled on, as his head whitened and his health declined, and nothing apparently came to his relief?

He had never seen his child, that three-day-old baby which survived the mother on that awful day set for its father's execution, and when he found her in Florida, after the prison doors were opened to him, she was herself a mother and this poor victim of another's sin was a grandfather.

In those dreadful convict camps the life convict worked overtime and sent the money to educate that child, and that child's life was shadowed and depressed and hampered by the fact that her father was once nearly hung and still a life convict in Georgia's penitentiary condemned for murder!

It is simply too horrible to be expressed in words! No amount of money can equalize the suffering and rightful claim of Franklin to justice and rehabilitation before his fellowman!

He always protested his innocence, but it availed him nothing, after the jury decided against him. Just imagine, if you can, how his poor heart gasped and agonized and beat itself against the the injustice of man!

The story of Jean Valjean will ever remain a classic in popular fiction, but Jean Valjean could get out, and could breathe the free-air, and circumvent his enemies, and could do works of charity, was beloved by those who knew him best even if he was all the time in danger and forever hounded by the law that sealed his fate as a convict in France.

Franklin's fate was inexpressibly hopeless; he was forever under the ban; his load never lightened; always bowed down, nothing in sight save death that promised relief. Pitiful beyond expression was his condition until the jailer opened the door and said, "You can go!"

Go to what, after old age had overtaken him, and his life had been continually seared as with a red-hot iron and left sears as deep as plow furrows on his hopes and happiness.

Superintendent Brown is holding teachers' examinations this week. About 25 are taking the examinations.

THE COURSE OF TRUE LOVE

ONCE MORE FAILS TO RUN SMOOTH FOR YOUNG COUPLE.

Assisted by Friends, the Young Lover Carries off Sweetheart, But a Stern Parent Ends the Romance.

Chester Whidden, a young man just entering manhood, fell desperately in love with his cousin, Etta Whidden, a pretty miss of 14 summers. The young lady did not return his affections, so with the help of sympathizing friends he decided to kidnap her from her home. With the assistance of his brother, Curtiss, and Lamb and Cyril McClelland, the young lady was induced to go with them to Zolfo where Justice H. M. High made the young man happy. The girl tearfully returned with her new-made husband to his home in Gardner. About this time the irate father was hot on the trail of his new son-in-law and found them with the door barricaded. Procuring a gun he returned to the house and demanded the daughter. Reluctantly the door was opened and the daughter rushed into the arms of her fond parent. The new son-in-law made a dash for liberty. With the aid of neighbors the two youthful accomplices to the abduction were captured. Constable Price took the train for Punta Gorda where he captured the husband and returned with him to Gardner. The father had Chester arrested. The uncle of the new son-in-law had the girl's father arrested for assault with intent to murder. The end is not yet, but the youthful pair are separated and the matter will probably be taken to the courts, as the girl is not of age and did not have time to obtain her father's consent.

A Comedy of Errors.

In a certain Irish provincial paper a burglar was recently described as having stolen from a famous actress who was touring the provinces, two bugs and a rag.

A polite note from the lady was responsible for the still more startling notice which ran: "We sincerely regret the mistake which crept into our report of the theft of Miss B's property. The luggage consisted of two bags and a rug, and not two bugs and a rag, as stated through our printer's error. We hope that Miss B—, who is starving in the provinces, will accept the apology herewith offered."

Next day, in a special and profuse article the word "starving" was replaced by "starring", and this time the jocular printer must have been held in check, for the letter-press appeared without a flaw.—The Caxton Magazine.

An Admirable Curfew.

Palmetto's city council has passed a curfew ordinance providing that no "children under 21" shall be on the streets without escort after 8 o'clock p. m. The Palmetto News thinks this a good ordinance, and that the city authorities should see that "children under 21" are at their parents' bedside after 8 o'clock. If the city fathers of Palmetto have devised an ordinance that will keep the kids "under 21" by their parents' bedside (and in August, too), they would copyright the ordinance and rent it out to other towns. They ought also to copyright, or patent, or trademark those Palmetto parents who desire to resort to city ordinances to control their own children. The News has always found that a dutiful child is like a grammatical adult—the product of home training, not of ordinances or text-books. It is safe (at this distance) to say that the Palmetto ordinance will cure few.—DeLand News.

Endowed With all His Goods.

It was at a fashionable wedding in Savannah, says the Philadelphia Record. The bridegroom had no visible means of support save his father, who was rich; but when he reached that part of the service he repeated boldly: "With all my worldly goods I thee endow!"

Whereupon the father said in a stage whisper that could be heard all over the church:

"Good Lord, there goes his bicycle!"

Walk.

I is or Jim Crow, And I'm 'gwine 'ter walk, Blamed if I'll take der back seat And have der white folks ter talk; I see 'gwine ter walk; Blame it, I'll WALK.

—Julius Daniels, Pensacola, Fla.

An editor in reply to a young writer who wishes to know which magazine would give him the highest position quickest, advised "a power magazine, especially if you contribute a fiery article."—Exchange.

OFFICERS ARE NOMINATED FOR CITY

AT A MASS MEETING HELD LAST FRIDAY NIGHT.

City and County Officers Unanimously Chosen—The Nominees Are Well Known and Hard to Beat.

At a massmeeting of citizens, which was largely attended, Mayor Pooser was elected to preside over the meeting. Considerable interest was shown in settling the question as to who were qualified to take part in the meeting. The following were the nominees for the different offices: Mayor, W. M. Platt; Tax Collector, Ed Greene; Marshal, Sam Powell; Clerk, R. Campbell; Assessor, J. J. Singleton; Councilmen, F. W. Hays and J. N. Hollingsworth. J. L. Jones and E. A. Houston were nominated for councilmen, but withdrew before the vote was finished.

Chicago Leads in Strenuousity.

Chicago is undoubtedly a strenuous place but until a prying statistician tabulated its many claims to that distinction, the inside details were unobtainable. Under the caption, "Something Doing in Chicago," a recent issue of the Ohio State Journal contained the following:

A death every fifteen minutes. A birth every 8 minutes and 27 seconds. A murder every 70 hours. A suicide every 18 hours. A serious accident, necessitating nurse's or physician's care every 4 minutes. A fatal accident every five hours. A case of assault and battery every 26 minutes. A burglary every 2 hours. A hold-up every 8 hours. A disturbance of the peace, to attract attention, every 6 hours. A larceny every 6 minutes. An arrest every 7 minutes and 30 seconds. A fire every hour. An arrest for drunkenness every fifteen minutes. A marriage every 20 minutes. A case for the coroner every three hours. A new building completed every 1 hour and 15 minutes. A railroad passenger train arrives every 56 seconds. Sixty passengers, suburban and through, arrive every second at railway stations. Seventy thousand gallons of water pass through the 1600 miles of water mains every minute.

Savannah.

The Savannah Morning News of Friday, September 1st, gives very many interesting figures regarding the commerce of that city for the year ending August 31st. The increase in a business way is most flattering, and there is a gain in every branch of industry that is indeed a surprise to all. The importations are in excess of what might have been expected and the outlook for the city is beyond the anticipations of the most enthusiastic citizen.

Savannah will continue to hold her position as the leading seaport city of Georgia, and much pains are taken to maintain its beauty and health as a residence city. All in all, Savannah will stand well at the front for stability with any of the cities along the Atlantic seaboard.

Governor Napoleon B. Broward returned yesterday from a trip to Chicago, the Great Lakes and Hot Springs, and declares that he and his family had a delightful time and that the trip proved most beneficial. En route home the Governor and his family—one that would tickle Roosevelt and "Apostle" Dowie to death—seven daughters, the youngest being only 1½ years old, the eldest scarcely 16, are at the Grand enroute home from a trip north. A sister-in-law and her daughter are also in the party. Governor Broward is 48 years of age and his wife 35. Florida is prosperous, with good crops of all kinds, said the Governor, and developments are progressing in every direction.—Jacksonville Metropolis.

"I tell you what," said Gotham, entreating his western cousin, "everything's so high here it's almost impossible to keep a house going."

"Well," replied the Kansan, "the winds are so high out our way it's almost impossible to keep a house from going."—Philadelphia Press.

Nearly as Good. "Did you succeed in breaking your grandfather's will?"

"No, but we managed to bend it so that a few more thousand dollars oozed out of the family tree."—Detroit Free Press.

GARDNER ITEMS.

Social Salamagundi From Our Neighboring City of Interest.

We hear no complaint of frost these days.

Mess. V. O. Fussell and Allan Roberts of this place made Tampa a business call this week.

Mr. Bryant Hampton, of Arcadia, is visiting his father this week.

Misses Nannie, Bertie and Fannie Coker went to Arcadia Friday night and accompanied a crowd of young people out to the church festival at Oak Hill and reported a pleasant time.

Mr. Arch Hampton, after spending several days in the woods returned today.

Miss Michell Coker, who received a severe shock of lightning on the 20th, is rapidly improving.

The Literary society has been postponed until Friday night.

H. P. Johnson made Arcadia a business call today.

Miss Carrie Parks is visiting the Misses Coker.

Mr. W. A. Stephens, who has been visiting friends and relatives here, returned to his home in Ft. McCoy last Thursday, accompanied by T. W. Coker.

Mr. Oran Baldwin, the prominent Fish Branch teacher, was in town this week.

Miss Nannie Coker, after spending a few days in Arcadia visiting friends and relatives, returned home Monday evening.

Weather seems gradually getting cooler. And we raise no objections.

Sunday School was well represented here Sunday from Brownville, Arcadia and other places.

Mr. Hutto Durrance made a brief call at the Gardner House Sunday.

Cecil Durrance, after spending several days with home folks at Lily and friends in Gardner, returned to his position as express messenger from Lakeland to Titusville.

Mr. J. Harrison's sister, Mrs. Carlson, is visiting here this week.

Prof. Chester Parker made a flying trip to Owens Saturday, returning Sunday.

Mr. Watson of Tampa was calling on one of Gardner's fair young ladies Sunday.

Mr. Ed Hendry of Arcadia, has been visiting his sister, Mrs. E. Fielder, a few days.

Miss Melda Cline, of Nocatee, made the Misses Cokers of this place a pleasant call Saturday, returning Monday.

Messrs. Walter, Jessie and Roscoe Mixelle of Nocatee made their relatives of this place a pleasant call Sunday.

Messrs. Will Scott, Jack Ferrell and Bryant McCorquodale of Arcadia, were calling here Sunday.

Miss Jessie Carlton made her parents a pleasant call Friday.

Mrs. A. M. Coker made Arcadia a business call Saturday.

Little Miss Abbie Carlton of Zolfo was visiting the little Misses Coker Sunday.

Miss Vela Hayman, after spending two weeks with Mrs. Lunn and Coker of this place, returned to her home in Ft. Meade Sunday.

We are glad to say Mrs. McCorquodale, after being ill for several days, is improving.

Mrs. Adna Mercer made Arcadia a business trip Monday.

Mr. Henry Bullock of Arcadia was in Gardner Tuesday.

By reference to chapter 4867, page 101, of the acts of 1901, Laws of Florida, it will be noticed that "an act for the protection of birds and their nests and eggs" makes it unlawful to kill bullbats, which are being slaughtered by the hundreds in some sections. What are considered game birds can be killed in season, but the bullbats are not in this list, and persons proven guilty of their destruction are liable to a fine of \$5 for each offence, and an additional fine of \$5 for each bird, living or dead, or part of such bird, or nest or eggs possessed in violation of this act. Bullbats are included in this act, and offenders should take warning.—Gainesville Sun.

"Going." East and West.

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OWEN LOADHOLTZ PLACED ON TRIAL

HE IS CHARGED WITH THE KILLING OF MISS MAY BROWN.

THE LARGE LIST OF WITNESSES

Prisoner Tells His Story of This Shocking Tragedy—He Declares He Used His Pistol in Self Defense.

Jacksonville Metropolis.

In the Criminal Court Tuesday began the trial of Owen Loadholtz, who is charged with committing the crime of manslaughter—the shooting and killing of Miss May Brown during the tragedy in the office of Justice Farris, on February 13, 1905, when there was so much shooting done by Mrs. Ruth Freeman, mother of Miss Brown, and Loadholtz. The latter was under arrest and was being preliminarily tried on a charge of betrayal of Miss Brown—the particulars of which were given yesterday in the trial of Mrs. Freeman for assault with intent to murder Loadholtz. She was convicted of aggravated assault and a motion entered for a new trial.

Loadholtz is being defended by M. J. Jordan and J. B. Christie, and prosecuted by County Solicitor Bryan and F. W. Pope. The jury today consists of O. C. Wingate, J. M. Wamsley, W. W. Bowden, J. J. Wilson, Ed Currie and D. C. Crews.

Yesterday in the trial of Mrs. Freeman very little trouble was experienced in obtaining a jury. Today, however, it was quite different, as a number of the talesmen summoned had expressed an opinion as to the tragedy.

LOADHOLTZ TELLS HIS STORY.

Loadholtz, in his statement, described the scene, the position different ones occupied in the room of Justice Farris, where the shooting occurred. He said: "We were all at Justice Farris' court room on February 13, 1905, where a trial was going on. Mrs. Freeman arose out of her seat and came towards me rapidly and said: 'Owen Loadholtz, with a pistol in her hand. I was just in the act of getting up out of my chair and was in a stooping position. I think my face was turned toward Justice Farris' desk where I was going to ask him or my attorney, Mr. Jordan, a question. My face was turned that way (the witness indicating with his hand) when Mrs. Freeman said: 'Owen Loadholtz, I ducked my head when I saw the pistol in her hand and there was then a flash and a report. I pulled my gun and fired—I don't know how many times—and I don't know whether or not she had fallen, as somebody caught me from behind, and, while struggling with the man holding me (I don't know who he was), there was another report of a pistol discharged at my back, when some one said, 'Look out, Loadholtz.' I don't know who said it, but I turned quickly after being loosed from the man holding me. The girl (May Brown) had her pistol right in my face, and I fired just as quickly as I could, and I suppose I then killed her. She was not very far from me. Her revolver was within three feet or three and a half feet or something like or perhaps a little less. It was right near my face. There was nothing that I could have done then to prevent her shooting me. She held the pistol right to my face and was in the act of firing when I fired my pistol as quickly as I could to protect my own life."

Loadholtz was calm and collected in his statement.

EXHIBITED HIS PISTOL.

Cleveland Permenter testified that one day last winter he was standing in the door of his barber shop on Main street when Miss May Brown came up and had a conversation with him. She told him that she had something to show him. Witness asked her what it was. It was found to be a pistol. Witness took the pistol and snapped it twice and found that it was not loaded. He asked her what she was going to do with the pistol and she said that she was going to the court room of Justice Farris for the purpose of "fixing the first son of a gun that swears a lie on me."

Miss Greta Garcia did not testify in the case of Mrs. Freeman yesterday, she was only summoned.

In the trial of Mrs. Ruth Freeman in the Criminal Court Monday, she was found guilty of an aggravated assault with a recommendation to the mercy of the court.

The first thing the children wanted to know, on getting to school Monday morning, was something about Prof. Farris' spanking machine. The professor was besieged for information and kindly exhibited his two hands. The interest of the youngsters showed that even the children read the Herald.—Punta Gorda Herald.

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